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HUTCHINSON, KANS.**Board of Health—Organization, Powers, and Duties of. (Ord. No. 992, July 7, 1912.)**

SECTION 1. That there be, and is hereby, created a board of health for the city of Hutchinson, to be composed of the city commissioner of health, the city engineer, the city physician, and one regularly practicing physician, to be elected annually by the board of commissioners in the same manner as other city officers are appointed. Said board thus created shall organize as such and the physician elected to such board by the city commissioners shall be its presiding officer and the city physician shall be the secretary of such board.

SEC. 2. Said board of health shall supervise the health interests of the city of Hutchinson and shall meet at such times as may be necessary and upon call of the president.

SEC. 3. The secretary shall keep a record of all the transactions of the board; shall have custody of all books, papers, documents, and other property belonging to the office; shall communicate with the county and State boards of health; shall file and keep all reports received from such boards and other correspondence appertaining to the business of the board of health. He shall perform all other duties prescribed in this act for said secretary or as directed by the board of health of the city of Hutchinson.

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SEC. 26. The board of health shall have the right to enter in or upon any premises at any reasonable hour of the day to determine whether nuisances exist therein or thereon, or to determine whether the provisions of this ordinance are being followed or obeyed, and it shall be unlawful for any person to oppose such entry or examination.

Nuisances—Definition—Abatement. (Ord. No. 992, July 7, 1912.)

SEC. 4. Whatever is dangerous to human health, whatever renders the ground, the water, the air, or food a hazard or an injury to human health, and the following specific acts, conditions, and things are, each and all of them, hereby declared to constitute nuisances:

(a) The deposits or accumulation of foul, decaying, or putrescent substance or other offensive matter in or upon any lot, street, or highway, or in or upon any public place; the storage of such foul or decaying or putrescent matter in liquid or solid form in any vault, cesspool, or other receptacle not permitted by this ordinance; the overflow of any foul liquids or the escape of gases to such an extent that the same or any one of them shall become hazardous to health or that the same shall by reason of offensive odors become a source of discomfort to persons living or passing in the vicinity thereof.

(b) A polluted well or cistern, or the pollution of any body of water used for drinking purposes.

(c) The maintenance of any privy, vault, or cesspool, except as hereinafter provided.

(d) Keeping any building or room in such a state of uncleanness as to endanger the health of persons residing therein.

(e) The accumulation of manure beyond the amount or length of time hereinafter prescribed.

(f) The accumulation of water in stagnant ponds or otherwise, in which mosquito larvæ breed.

(g) Filthy stock pens or places where stock are kept which may become annoying or offensive.

(h) The rank growth of weeds or decaying vegetation on any lots or grounds.

SEC. 5. Any person aiding or maintaining in the creation or maintenance of any nuisance shall be given three days' notice thereof in writing by the secretary of the board, and if such person shall refuse or fail to remove such nuisance within the time prescribed in said notice he shall be deemed guilty of a misdemeanor and, upon

conviction thereof, shall be fined in any sum not exceeding \$10 and the costs of the prosecution, and each day during which the nuisance is allowed to exist shall constitute a separate and distinct offense.

SEC. 6. It shall be the duty of the board of health to have removed and abated from any lot or parcel of ground or alley within the corporate limits of the city of Hutchinson any nuisance herein described at the expense of the owner of the property on which the nuisance is located. Said board shall, after having served the notice provided for in section 5 of this ordinance, file its statement or notice in writing to that effect with the clerk of said city, describing same, where located, requiring owner or agent of such premises to remove and abate said nuisance, and specifying time in which same shall be removed and abated. A copy of this statement or notice shall be served by the city marshal to owner or agent of such property described in said statement or notice, or if a nonresident, then by mailing the notice to his last known address, and if the owner or agent of the owner shall fail or neglect to comply with the requirements of the statement or notice within the time specified, then the board shall have the nuisance described in said statement or notice removed or abated from said premises, and the cost of such removal or abatement shall be certified to the city clerk, and the same shall be assessed and charged against the lot or parcel of ground on which the nuisance was located, and the city clerk shall at the time of certifying other city taxes to the county clerk certify the aforesaid costs, and the county clerk shall extend the same on the tax roll of the county against said lot or parcel of ground and it shall be collected in the same manner as other city taxes are collected.

SEC. 7. No privy vault, cesspool, or manure pit shall hereafter be constructed in the city of Hutchinson without a permit from the board of health. This shall not prohibit the construction of temporary privy vaults during the erection of new buildings; but in all cases the contractor shall cause the contents of such vaults to be covered with lime, fresh earth, or ashes once each day. All privy vaults, cesspools, or manure pits for the construction of which permits may have been granted shall be built water-tight and shall be fly proof, and all existing privy vaults and manure pits shall be made fly proof within 30 days after the publication of this ordinance.

SEC. 8. No privy vault, cesspool, or manure pit shall hereafter be constructed within 50 feet of any well or cistern, within 5 feet of any party line or fence, within 15 feet of the line of any street, and within 25 feet of the door or window of any house; nor shall any cover be put on the same until the said privy vault, cesspool, or manure pit has been inspected and approved by the board of health.

SEC. 9. All stables and stable yards shall be kept clean and dry, and between the 1st day of May and the 1st day of November not more than one wagon load of manure at any private stable nor more than two wagon loads at any livery stable shall be allowed to accumulate at any one time.

SEC. 10. Any person violating sections 6, 7, 8, and 9 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$10 and the costs of the prosecution, and each day during which the violation of these sections is allowed to exist shall constitute a separate and distinct offense.

SEC. 11. No pigpen shall be maintained within 100 feet of any well or spring of water used for drinking purposes and within 30 feet of any street or 50 feet of any inhabited house. No swine shall be kept within the corporate limits of the city of Hutchinson between May 1 and November 1 of any year.

SEC. 12. Any person violating the provisions of section 11 of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$10 and the costs of the prosecution, and every day during which the violation of this section is allowed to exist shall constitute a separate and distinct offense.

SEC. 13. All refrigerators and ice boxes maintained in any butcher shop or other mercantile shop in said city shall be open to inspection by this board at any time when business is being carried on in said shop. No person shall allow any animal or vegetable matter which is foul or which is in a state of decay to remain in said refrigerator or ice box, nor shall said refrigerator or ice box be allowed to become foul or malodorous.

Communicable Diseases—Reporting, Isolation, Placarding, and Disinfection.
(Ord. No. 992, July 7, 1912.)

SEC. 14. Every physician shall report in writing to the city clerk the name of every patient he or she may have in the city of Hutchinson affected with cholera, smallpox, diphtheria, typhus, typhoid, or scarlet fever, measles, tuberculosis in any form, varicella, mumps, whooping cough, epidemic dysentery or epidemic cerebrospinal meningitis, or any other communicable disease that may hereinafter be declared dangerous to public health, together with the precise locality where such patients may be found, immediately after such physician shall ascertain the nature of such disease.

SEC. 15. Wherever it shall be deemed necessary by this board to establish the true character of any disease which is suspected to be communicable, a medical examination of person or persons affected by disease may be ordered by this board and it shall be unlawful for any person or persons to refuse to permit or interfere with such examination.

SEC. 16. No principal, teacher, nor superintendent of any school shall knowingly permit any child sick with any disease mentioned in section 14 of this ordinance, or with any other communicable disease, or any child residing in any house in which any communicable disease shall exist, to attend school until such time as some reputable physician shall certify to such teacher, principal, or superintendent that said child may attend school without danger of communicating the disease to others.

SEC. 17. No person from any dwelling wherein a disease dangerous to public health exists shall take any book or magazine to or from any circulating or school library. The board will inform the librarian of all cases of such diseases, and until a written permit is given the librarian shall allow neither books nor magazines to be taken to or returned from a dwelling where such disease exists.

SEC. 18. No person shall sell or distribute milk from a building wherein a disease dangerous to the public health exists, or has existed, until he has obtained a written permission from the board of health.

SEC. 19. Any person in the city of Hutchinson having a communicable disease may be isolated as the board of health may direct, subject to the approval of the board of commissioners of the city of Hutchinson, and all buildings, clothing, property, premises, and vehicles which may be affected from and by examination from such persons shall be disinfected as the board of health may direct. No premises shall be disinfected after diphtheria until at least two negative cultures, taken on successive days, have been obtained from the throat of the patient, or from the nose if a case of nasal diphtheria.

SEC. 20. No person shall knowingly bring or cause to be brought into the city of Hutchinson any person infected with any communicable disease, except upon a permit granted by the board of health; and no person shall bring or cause to be brought into the said city any article liable to propagate a communicable disease.

SEC. 21. Whenever there shall occur in the city of Hutchinson any case of disease mentioned in section 14, the board of health shall, if such has not already been done by the county health officer, cause to be placed upon the house or houses in which said disease or cases are confined a placard naming the disease, said placard to remain until said premises are disinfected by said board; and any person or persons removing said placard without the authority of said board, shall, upon conviction thereof, be fined in any sum not exceeding \$25, together with the costs of the prosecution.